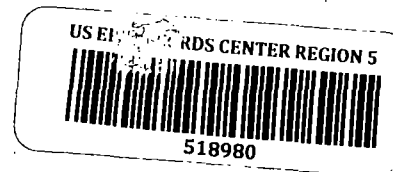




217/782-6761

CERTIFIED MAIL # P 731 919 046

Refer to: 0312850008G -- Cook County
Schiller Park/Refinery Products Co.
ILD 000665786
COMPLIANCE INQUIRY LETTER



October 9, 1984

John W. Vanhaesen
Refinery Products Co.
4285 Wesley Terrace
Schiller Park, Illinois 60176

Dear Mr. Vanhaesen:

As Manager of the Compliance Assurance Unit for the Division of Land Pollution Control, it has come to my attention that your company may be in violation of the Illinois Environmental Protection Act or regulations adopted thereunder. More particularly, your company may not have complied with the 1983 Annual Hazardous Waste Reporting requirement of the State of Illinois for generators and/or treatment, storage, and disposal facilities.

The Illinois Environmental Protection Act states that:

"No person shall conduct any hazardous waste storage, hazardous waste treatment, or hazardous waste disposal operation in violation of any regulations or standards adopted by the Board under this Act. . . ." Ill. Rev. Stat. 1983, Ch. 111 1/2, par. 1021(f)(2).

"Conduct any process or engage in any act which produces hazardous waste in violation of any regulations or standards adopted by the Board under subsections (a) and (c) of Section 22.4 of this Act." Ill. Rev. Stat. 1983, Ch. 111 1/2 par. 1021(i)

"No person shall dispose, treat, store, or abandon any waste, or transport any waste into this State for disposal, treatment, storage, or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder. . . ." Ill. Rev. Stat. 1983, Ch. 111 1/2, Par. 1021(e).

35 Ill. Adm. Code 722.141 requires a generator who ships his hazardous waste off-site to submit Annual Reports to the Director of this Agency no later than March 1 for the preceding calendar year. While 35 Ill. Adm. Code 725.175 requires the owners or operators of hazardous waste treatment, storage, and disposal facilities to prepare and submit an annual report to the Director of this Agency by March 1 of each year. The annual report must cover facility activities during the previous calendar year.

Non-compliance with the annual reporting requirements of 35 Ill. Adm. Codes 722.141 and/or 725.175 could be a violation of Ill. Rev. Stat. 1983, Ch. 111 1/2, pars. 1021(e), (f), or (i). Please note that the maximum civil penalty



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for such violations is set forth in Ill. Rev. Stat. 1983, Ch. 111 1/2, par. 1042(b)(3), which provides for a civil penalty not to exceed \$25,000 per day of violation. Also, the Environmental Protection Act provides for criminal fines and imprisonment as set forth in Ill. Rev. Stat. 1983, Ch. 111 1/2, Par. 1044.

The Illinois Annual Hazardous Waste Reporting requirements are designed to inventory hazardous waste generated, treated, stored, and disposed in Illinois. Because of the environmental importance of this program, any violation of the Annual Hazardous Waste Reporting system is reviewed with considerable concern. Our 1983 manifest records indicate that on numerous occasions your company shipped 200 to 2000 gallon loads of mixed chlorinated solvents and trichlorethane (EPA HW #F001) to Recycocyl in Des Plaines and Baron Blakslee in Cicero. Enclosed you will find copies of our 1983 Annual Hazardous Waste Report booklets containing instructions and forms for both Generators and Facilities. Please complete the appropriate forms and explain in detail any rationale for an exemption for filing and/or the late filing. The deadline for reporting was March 1, 1983 and to date no report has been received from your company.

Within 15 days of receiving this letter, please respond to the undersigned in writing explaining the reason for the delay, along with your completed 1983 Annual Hazardous Waste Report. Failure to respond will result in your being requested to attend a compliance conference at our Springfield Office.

In addition, please be advised that this letter constitutes the notice required by Section 31(d) of the Illinois Environmental Protection Act prior to the filing of a formal complaint. The cited Section of the Illinois Environmental Protection Act requires the Agency to inform you of the charges which are to be alleged and offer you the opportunity to meet with appropriate officials within thirty days of this notice date in an effort to resolve such conflicts which could lead to the filing of a formal action.

If you have any questions concerning this letter, please contact the undersigned at this Agency's address or telephone number listed above.

Sincerely,

Gregory T. Zak by C.L.

Gregory T. Zak, Manager
Compliance Assurance Unit
Compliance Monitoring Section
Division of Land Pollution Control

GTZ:HW:jd/1869D/1-20,sp

Enclosures

cc: Division File
Northern Region
Mike Nechvatal
Don Gimbel